**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)**

Docket Number (Optional)

Display_RAST092303

First Named Inventor: **Rodger H. Rast**Art Unit: **2673**Application Number: **10/670,432**

Examiner: ---

Filed: **September 23, 2003**Title: **Display Methods and Systems**

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.

NOTE: A grantable petition requires the following items:

- (1) Petition fee.
- (2) Reply and/or issue fee.
- (3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay.

1. Petition fee

☒ Small entity - fee \$ **\$250.00** (37 CFR 1.17(I)). Applicant claims small entity status.
See 37 CFR 1.27.

☐ Other than small entity - fee \$ _____ (37 CFR 1.17(I)).

2. Reply and/or fee

A The reply and/or fee to the above-noted Office action in the form of
Revised abstract and extra claim fee of \$43 (Identify the type of reply):

☐ has been filed previously on _____

☒ is enclosed herewith.

12/20/2004 AWONDAF1 00000143 10670432

01 FC:2452

250.00 0P

B The issue fee of \$ _____

☐ has been filed previously on _____

☐ is enclosed herewith.

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9193 and select option 2.

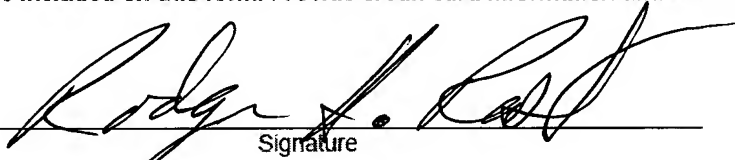
PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

	December 14, 2004
_____ Signature	_____ Date
Rodger H. Rast	45,853
_____ Typed or printed name	_____ Registration Number, if applicable
11230 Gold Express Drive Suite 310 MS 337	916-631-9043
_____ Address	_____ Telephone Number
Gold River CA 95670	
_____ Address	

- Enclosure ☒ Fee Payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☒ **Excess claim fee of \$43**

CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))

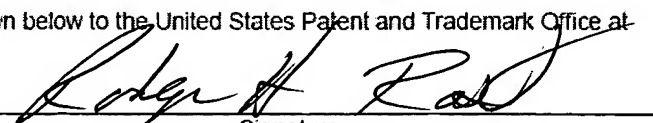
I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to **Mail Stop Petition**, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

December 14, 2004

Date



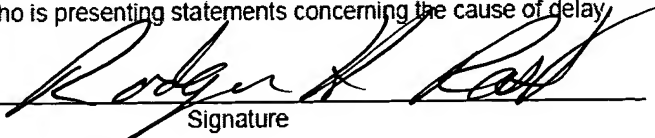
Signature

Rodger H. Rast

Typed or printed name of person signing certificate

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.



Signature

Rodger H. Rast

Typed or printed name

December 14, 2004

Date

45,853

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

We never received a reply notice on this case. I was very shocked to receive the notice of abandonment for a case that had not been examined yet. There was no entries in my pending response calendar. This is an important case to me and it did not seem I could have not entered a response deadline. To be certain it had not been misplaced I checked through, or better stated "ravaged through", all my of invention correspondence and papers - NOTHING.

I called the Customer Service and found that a notice to file missing parts had supposedly been sent out by them. However, this was never received here. We did find that they had an incomplete address, leaving out the MS 337, which is basically our box number so perhaps that was the reason - hard to say. Anyway they corrected the address on their end and then sent, after a fashion, a copy of the notice to file corrected application papers, as well as a filing receipt (which we also had not received), although we had received our self-addressed postcard back.

Certainly, sending off \$43 and a copy of the abstract, which appears to have not been on a separate page - would have been done immediately at the time of receiving a notice.

It is rather upsetting to find a case abandoned without our knowledge, and more upsetting to pay another \$250 to remedy a problem that was not of our making. I am a sole inventor trying to get a few of my inventions out into the world, that's why I became a patent agent, and funds are tight at this point in time to say the least. I would appreciate this application being revived, and it would be even more greatly appreciated if my petition fee were returned - I know that mistakes happen.

(Please attach additional sheets if additional space is needed.)



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/670,432	09/23/2003	Rodger H. Rast	Display_RAST092303

CONFIRMATION NO. 2421

ABANDONMENT/TERMINATION
LETTER

OC000000014339060

Rastar Corporation
 Suite 310
 11230 Gold Express Drive
 Gold River, CA 95670

MS 337

Date Mailed: 11/10/2004

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 12/17/2003.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Tequest Wolcheyes
 Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY